

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

ex rel. JOSEPH ODISH, et al.,

Relator-Plaintiffs,

Case No. 17-10991

vs.

HON. MARK A. GOLDSMITH

ROSEN & ASSOCIATES, P.C. et al.,

Defendants.

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**ORDER STRIKING EXHIBIT (DKT. 199) AND REQUIRING PLAINTIFF TO SHOW  
CAUSE WHY HE SHOULD NOT BE SUBJECT TO SANCTIONS**

This matter was dismissed on June 25, 2018 (Dkt. 93). Nonetheless, Plaintiff Joseph Odish, an attorney licensed in Michigan, has continued to file more than 100 “exhibits” and other documents in this case. The exhibits contain tens of thousands of pages and contain embedded images. Mr. Odish’s filings take up a considerable amount of the Court’s ECF storage capacity. There are no motions pending and no proffered reason for Mr. Odish’s filings. Recently, Mr. Odish filed one of his so-called exhibits containing sexually explicit images (Dkt. 199). The Court will strike the document and order Mr. Odish to show cause why he should not be sanctioned under Rule 11.

Federal Rule of Civil Procedure 11(c) empowers courts to impose sanctions on a party who has violated Rule 11(b) by litigating in a disingenuous way. Rule 11(b) bars a litigant from making submissions to the court “for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.” Fed. R. Civ. P. 11(b)(1). “Rule 11 imposes a

‘continual obligation on attorneys to refrain from pursuing meritless or frivolous claims at any stage of the proceedings.’ Merritt v. International Ass’n of Machinists and Aerospace Workers, 613 F.3d 609, 626 (6th Cir. 2010) (quoting Herron v. Jupiter Transp. Co., 858 F.2d 332, 336 (6th Cir. 1988)); see also Rentz v. Dynasty Apparel Indus., Inc., 556 F.3d 389, 399 (6th Cir. 2009). Rule 11 allows for another party to the litigation to move for sanction or for the court to do so on its own initiative, but in either case, the accused party must be given an opportunity to correct the problematic conduct or show cause why the conduct has not violated Rule 11(b). Fed. R. Civ. P. 11(c).

Accordingly, the Court **STRIKES** Mr. Odish’s February 1, 2019 Exhibit (Dkt. 199). Mr. Odish must show cause in writing **on or before February 19, 2019** why he should not be sanctioned for his excessive and repetitive filings under Rule 11.

SO ORDERED.

Dated: February 4, 2019  
Detroit, Michigan

s/Mark A. Goldsmith  
MARK A. GOLDSMITH  
United States District Judge